

Applicant: Aharoni, *et al.*
U.S.S.N.: 10/786,965
Filing Date: February 25, 2004
EMC Docket No.: EMC-02-132CIP1

Please amend the subject application, as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 10 of this paper.

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REMARKS

This Amendment is submitted in response to the Office Action mailed June 27, 2007.

Claims 1-21 are pending and stand rejected

Claims 1, 8, and 15 have been amended.

Rejection under 35 USC §102

The Examiner has maintained the rejection of claim 1-21 under 35 USC 102(b) as being anticipated by Hoffecker (USP no. 5,325,505).

Applicant continues to respectfully disagree with the reason for the rejection of the claims. However, the claims have been amended to further recite adapting the one or more data storage areas by adding one or more data storage areas and optimizing individually front end and back end performance of each of said one or more data storage system. No new matter has been added. Support for the amendment may be found at least on page 19, lines 5-9 ("Referring to Fig.6, following Continuation Step D, in a preferred embodiment, the back end of the target storage system may be optimized, creating a binary file in Step 172 and the front end similarly optimized in Step 174.") and Figure 6.

Hoffecker, as characterized previously, describes an intelligent storage manager including a number of data bases which are used by the expert system to manage the computer system data storage devices. Hoffecker discloses the use of models to determine data relating to the operation of the data storage devices. The models are used to assist in the identification of conflicts and to predict the effect of proposed conflict solutions.

In maintaining the rejection of the claims, the Examiner refers to col. 29, lines 58-67 for Hoffecker teaching modeling additional data storage devices in order to identify which volumes should be migrated to the additional data storage devices in order to optimize the performance of the data storage system.

Hoffecker fails to disclose further optimization of the front-end and back-end processing of each of the data storage units, as is recited in the claims. Rather, Hoffecker teaches distributing (migrating) data volumes to the additional data storage devices.

A claim is anticipated only if each and every element is recited in one piece of prior.

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Hoffecker can not be said to anticipate the present invention, as recited in claims 1, 8 and 15, as Hoffecker fails to disclose optimizing front-end and back-end processing of each of the one or more data storage systems in view of the added at least one data storage device..

For at least this reason the rejection of the independent claims 1, 8 and 15 has been overcome and applicant respectfully requests that the rejection be withdrawn.

With regard to the remaining claims, these claims depend from one of the independent claims and, hence, are allowable by virtue of their dependency upon an allowable independent claim.

In view of the foregoing, applicant believes that the application is in condition for allowance and respectfully requests favorable reconsideration in view of the amendments made to the claims and for the remarks made herein..

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

Dated: _____

9/27/07


Carl A. Giordano, Esq. (Reg. No. 41,780)
Attorney for Applicants
Law Office of Carl Giordano, PA
210 Route 4 East, Suite 103
Paramus, New Jersey 07652
(201) 421 0865

Kindly provide all written communications to:

Carl A. Giordano, Esq.
Law Office of Carl Giordano, PA
210 Route 4 East, Suite 103
Paramus, New Jersey 07652
(201) 421 0865